## RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS & PRELIMINARY AMENDMENT U.S. Application No.: 10/574,479 Attorney Docket No.: Q94241

## **REMARKS**

Upon entry of the claim amendments, claims 21-22 and 25-45 are all the claims pending.

Claims 1-20 and 23-24 are canceled, and claims 21-22 and 25 are amended to clarify the claim language.

New claim 45 is introduced. Support for this new claim can be found throughout the

specification and original claims. Especially, support for the claim can be found at least at page

20, lines 10-14, page 34, line 24-page 35, line 3, page 36, lines 14-15, page 37, lines 10-14, page

43, lines 16-19, page 44, lines 1-14, page 45, line 17-page 46, line 21, and Figures 1-2.

Thus, no new matter is added.

Entry and consideration of this Amendment are respectfully requested.

## **RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

In response to the Restriction Requirement, dated June 22, 2009, Applicants elect Group I, claims 21 and 26-44 for examination. This election is made without traverse.

In response to the Election of Species Requirement, Applicants respond as follows. The following elections are made <u>without</u> traverse.

1) One specific fatty acid (claims 21, 22 and 25-31):

Applicants elect (2R)-2-propyloctanoic acid.

2) One specific prostaglandin (claims 21, 22 and 25):

Applicants respectfully point out that present claims 21-22 and 25 do not require any prostaglandin by reciting "a fatty acid compound <u>excluding retinoic acid and a prostaglandin</u> <u>compound</u>" (emphasis added). Moreover, the claims have been amended to more clearly

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indicate this. Thus, Applicants respectfully submit that this Election of Species Requirement is moot in view of the claim recitations.

3) One type of nerve regeneration (claims 21 and 33-34):

Applicants elect differentiation.

4) A stem cell, nerve precursor cell or nerve cell (claims 35-38 and 40-43):

Applicants elect the nerve cell.

Applicants reserve the right to file a Divisional Application directed to non-elected

subject matter.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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